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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Kimio NAGASAKA et al.

Group Art Unit: 2874

Application No.: 10/601,583

Examiner: J. Doan

Filed: June 24, 2003

Docket No.: 116034

For: METHOD OF MANUFACTURING OPTICAL TRANSCEIVER AND ADJUSTMENT  
DEVICE THEREOF

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the November 2, 2004 Election of Species Requirement,  
Applicants provisionally elect Group I, Figures 1-20, with traverse.  
At least claims 1-5 and 14-20 read on the elected species.

It is respectfully submitted that the subject matter of all species  
is sufficiently related that a thorough search for the subject matter of  
any one species would encompass a search for the subject matter of the  
remaining species. Thus, it is respectfully submitted that the search  
and examination of the entire application could be made without serious  
burden. See MPEP §803 in which it is stated that "if the search and  
examination of an entire application can be made without serious burden,  
the examiner must examine it on the merits, even though it includes  
claims to independent or distinct inventions" (emphasis added). It is  
respectfully submitted that this policy should apply in the present  
application in order to avoid unnecessary delay and expense to Applicants  
and duplicative examination by the Patent Office.

Thus, withdrawal of the Election of Species Requirement is respectfully requested.

Respectfully submitted,

  
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JAO:JLC/aaw

Date: December 2, 2004

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